

Message Text

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PAGE 01 STATE 014506

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ORIGIN EA-10

INFO OCT-01 AF-06 EUR-12 NEA-09 IO-10 ISO-00 L-02 ARA-06

PCH-02 CIAE-00 DODE-00 PM-03 H-01 INR-07 NSAE-00

NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15 USIA-06 ACDA-05

DPW-01 AID-05 SAJ-01 SAM-01 OMB-01 NIC-01 /115 R

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EUR:GOOTT

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TO ALL DIPLOMATIC AND CONSULAR POSTS PRIORITY

INFO AMEMBASSY SAIGON

USMISSION GENEVA

USMISSION USUN NEW YORK

USDEL JEC PARIS

AMEMBASSY DAMASCUS

AMEMBASSY ALGIERS

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY CONAKRY

AMEMBASSY COTONOU

USMISSION IAEA VIENNA

AMEMBASSY LIBREVILLE

AMEMBASSY LUSAKA

USMISSION USBERLIN

AMEMBASSY MOGADISCIO

AMEMBASSY MOSCOW

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CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 014506

USLO PEKING

AMEMBASSY PORT LOUIS
AMEMBASSY PRAGUE
AMEMBASSY SANAA
AMEMBASSY SOFIA
AMEMBASSY TRIPOLI
AMEMBASSY VALLETTA
AMEMBASSY WARSAW
AMEMBASSY KHARTOUM
AMEMBASSY BERLIN
AMEMBASSY SUVA BY POUCH
XMT AMEMBASSY BANJUL
USMISSION EC BRUSSELS
USMISSION OECD PARIS
AMEMBASSY SUVA
AMEMBASSY TAIPEI

CONFIDENTIAL STATE 014506

DAKAR POUCH BANJUL

E.O.11652: GDS
SUBJECT: PRG ISSUE AT LAW OF WAR AND WMO CONFERENCES

REF: A. STATE 8673 B. STATE 10509

1. REGARDING INSTRUCTIONS REFTELS, POSTS WHO HAVE NOT YET CARRIED OUT THEIR DEMARCHE OR WHO PLAN SUBSEQUENT DEMARCHE MAY WISH TO PRESENT COPY OF U. S. NOTE JANUARY 11 (SEE PARA 3 BELOW) TO MEMBERS OF INTERNATIONAL CONFERENCE ON VIET-NAM IN MAKING THEIR APPROACHES TO HOST GOVERNMENTS. WE BELIEVE THAT PRESENTATION OF COPY OF NOTE WILL GIVE ADDED WEIGHT TO U. S. POSITION THAT RECENT COMMUNIST OFFENSIVE, IN WHICH THEY SEIZED AN ENTIRE PROVINCE HELD BY GVN AT TIME OF CEASE-FIRE, DEMONSTRATES A DISREGARD OF INTERNATIONAL OBLIGATIONS WHICH WOULD CLEARLY MILITATE AGAINST ATTENDANCE OF THE PRG AT CONFERENCES INTENDED TO SET INTERNATIONAL STANDARDS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 014506

2. FOR FRENCH SPEAKING POSTS: A FRENCH TRANSLATION OF U. S. NOTE WILL FOLLOW.

3. TEXT OF U. S. NOTE FOLLOWS:

BEGIN TEXT:

THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA

PRESENTS ITS COMPLIMENTS TO (THE MINISTRY OF FOREIGN AFFAIRS/MINISTRY OF EXTERNAL AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS, PEOPLE'S REPUBLIC OF CHINA, GREAT BRITAIN, FRANCE, HUNGARY, POLAND, INDONESIA, IRAN, AND SECRETARY GENERAL OF THE UN KURT WALDHEIM) AND HAS THE HONOR TO REFER TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIET-NAM SIGNED AT PARIS JANUARY 27, 1973, AND TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM SIGNED AT PARIS MARCH 2, 1973.

WHEN THE AGREEMENT WAS CONCLUDED NEARLY TWO YEARS AGO, OUR HOPE WAS THAT IT WOULD PROVIDE A FRAMEWORK UNDER WHICH THE VIETNAMESE PEOPLE COULD MAKE THEIR OWN POLITICAL CHOICES AND RESOLVE THEIR OWN PROBLEMS IN AN ATMOSPHERE OF PEACE. UNFORTUNATELY THIS HOPE, WHICH WAS CLEARLY SHARED BY THE REPUBLIC OF VIET-NAM AND THE SOUTH VIETNAMESE PEOPLE, HAS BEEN FRUSTRATED BY THE PERSISTENT REFUSAL OF THE DEMOCRATIC REPUBLIC OF VIET-NAM TO ABIDE BY THE AGREEMENT'S MOST FUNDAMENTAL PROVISIONS. SPECIFICALLY, IN FLAGRANT VIOLATION OF THE AGREEMENT, THE NORTH VIETNAMESE AND "PROVISIONAL REVOLUTIONARY GOVERNMENT" AUTHORITIES HAVE:

-- BUILT UP THE NORTH VIETNAMESE MAIN-FORCE ARMY IN THE SOUTH THROUGH THE ILLEGAL INFILTRATION OF OVER 160,008 TROOPS;

-- TRIPLED THE STRENGTH OF THEIR ARMOR IN THE SOUTH BY SENDING IN OVER 400 NEW VEHICLES, AS WELL AS GREATLY INCREASED THEIR ARTILLERY AND ANTI-AIRCRAFT WEAPONRY;

-- IMPROVED THEIR MILITARY LOGISTICS SYSTEM RUNNING THROUGH LAOS, CAMBODIA, AND THE DEMILITARIZED ZONE AS WELL AS WITHIN SOUTH VIET-NAM, AND EXPANDED THEIR ARMA-
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 014506

MENT STOCKPILES;

-- REFUSED TO DEPLOY THE TEAMS WHICH UNDER THE AGREEMENT WERE TO OVERSEE THE CEASE-FIRE;

-- REFUSED TO PAY THEIR PRESCRIBED SHARE OF THE EXPENSES OF THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION;

-- FAILED TO HONOR THEIR COMMITMENT TO COOPERATE IN RESOLVING THE STATUS OF AMERICAN AND OTHER PERSONNEL MISSING IN ACTION, EVEN BREAKING OFF ALL DISCUSSIONS ON THIS MATTER BY REFUSING FOR THE PAST SEVEN MONTHS TO MEET WITH U. S. AND REPUBLIC OF VIET-NAM REPRESENTATIVES IN THE FOUR PARTY JOINT MILITARY TEAM;

-- BROKEN OFF ALL NEGOTIATIONS WITH THE REPUBLIC OF VIET-NAM INCLUDING THE POLITICAL NEGOTIATIONS IN PARIS AND THE TWO PARTY JOINT MILITARY COMMISSION TALKS IN SAIGON, ANSWERING THE REPUBLIC OF VIET-NAM'S REPEATED CALLS FOR UNCONDITIONAL RESUMPTION OF THE NEGOTIATIONS WITH DEMANDS FOR THE OVERTHROW OF THE GOVERNMENT AS A PRE-CONDITION FOR ANY RENEWED TALKS; AND

-- GRADUALLY INCREASED THEIR MILITARY PRESSURE, OVER-RUNNING SEVERAL AREAS, INCLUDING 11 DISTRICT TOWNS, WHICH WERE CLEARLY AND UNEQUIVOCALLY HELD BY THE REPUBLIC OF VIET-NAM AT THE TIME OF THE CEASE-FIRE. THEIR LATEST AND MOST SERIOUS ESCALATION OF THE FIGHTING BEGAN IN EARLY DECEMBER WITH OFFENSIVES IN THE SOUTHERN HALF OF SOUTH VIET-NAM WHICH HAVE BROUGHT THE LEVEL OF CASUALTIES AND DESTRUCTION BACK UP TO WHAT IT WAS BEFORE THE AGREEMENT. THESE ATTACKS -- WHICH INCLUDED FOR THE FIRST TIME SINCE THE MASSIVE NORTH VIETNAMESE 1972 OFFENSIVE THE OVER-RUNNING OF A PROVINCE CAPITAL (SONG BE IN PHUOC LONG PROVINCE) -- APPEAR TO REFLECT A DECISION BY HANOI TO SEEK ONCE AGAIN TO IMPOSE A MILITARY SOLUTION IN VIET-NAM. COMING JUST BEFORE THE SECOND ANNIVERSARY OF THE AGREEMENT, THIS DRAMATICALLY BELIES HANOI'S CLAIMS THAT IT IS THE UNITED STATES AND THE REPUBLIC OF VIET-NAM WHO ARE

CONFIDENTIAL

CONFIDENTIAL

PAGE 05 STATE 014506

VIOLATING THE AGREEMENT AND STANDING IN THE WAY OF PEACE.

THE UNITED STATES DEPLORES THE DEMOCRATIC REPUBLIC OF VIET-NAM'S TURNING FROM THE PATH OF NEGOTIATION TO THAT OF WAR, NOT ONLY BECAUSE IT IS A GRAVE VIOLATION OF A SOLEMN INTERNATIONAL AGREEMENT, BUT ALSO BECAUSE OF THE CRUEL PRICE IT IS IMPOSING ON THE PEOPLE OF SOUTH VIET-NAM. THE DEMOCRATIC REPUBLIC OF VIET-NAM MUST ACCEPT THE FULL CONSEQUENCES OF ITS ACTIONS. WE ARE DEEPLY CONCERNED ABOUT THE THREAT POSED TO INTERNATIONAL PEACE AND SECURITY, TO THE POLITICAL STABILITY OF SOUTHEAST ASIA, TO THE PROGRESS WHICH HAS BEEN MADE IN REMOVING VIET-NAM AS A MAJOR ISSUE OF GREAT-POWER CONTENTION, AND TO THE HOPES OF MANKIND FOR THE BUILDING OF STRUCTURES OF PEACE AND THE STRENGTHENING OF MECHANISMS TO AVERT WAR. WE THEREFORE REITERATE OUR STRONG SUPPORT FOR THE REPUBLIC OF VIET-NAM'S CALL TO THE HANOI-"PROVISIONAL REVOLUTIONARY GOVERNMENT" SIDE TO RE-OPEN THE TALKS IN PARIS AND SAIGON WHICH ARE MANDATED BY THE AGREEMENT. WE ALSO URGE THAT THE (ADDRESSEES) CALL UPON THE DEMOCRATIC REPUBLIC OF VIET-NAM TO HALT ITS MILITARY OFFENSIVE AND JOIN THE REPUBLIC OF VIET-NAM IN RE-ESTABLISHING STABILITY AND SEEKING A POLITICAL SOLUTION.

END TEXT. KISSINGER

NOTE BY OC/T: POUCHED AMEMBASSY SUVA.

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